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August 23, 1957

Liquor Commission
State of New Hampshire
109 North Main Street
Concord, New Hampshire

NEW HAMPSHIRE LAW LIBRARY

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CONCORD, N.H.

Gentlemen:

In a recent conference you asked the opinion of this office whether the Commission might lawfully grant a permit, under the provisions of RSA 181, to a corporation the sole stockholder of which is an alien. We reply in the affirmative.

You advise that the corporation is organized under the laws of the State of New Hampshire and that

"each of its principal officers and directors, is of good moral character, is a citizen of the United States not less than twenty-one years of age, and has never been convicted of a felony" RSA 181:15

It appears that the corporation is in all other respects qualified.

It is our view that the Legislature in its reference to United States citizenship, quoted above, thereby intended to specify in a definitive manner all of the requirements - and the sole requirements - which must be met in this particular respect. The law-making body might have directed the Commission to examine into the ownership of corporate

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applicants on the issue of citizenship; it did not, but instead specifically, and simply, set up the requirement that "each of the principal officers and directors" of such an applicant should meet the test of citizenship. To impose a further requirement in this regard under the circumstances would, in our opinion, constitute an unwarranted extension of the Commission's power.

Very truly yours,

Warren E. Waters
Deputy Attorney General

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